

ALAN W. WESTBROOK, ESQ.  
Nevada Bar No. 06167  
PERRY & WESTBROOK, P.C.  
11500 S. Eastern, Suite 140  
Henderson, NV 89052  
Telephone: (702) 870-2400  
Facsimile: (702) 870-8220  
Email: [awestbrook@perrywestbrook.com](mailto:awestbrook@perrywestbrook.com)

KEVIN C. SCHIFERL, ESQ. (pro hac vice)  
Indiana Bar No. 14138-49  
STEPHANIE V. MCGOWAN, ESQ. (pro hac vice)  
Indiana Bar No. 30759-49  
FROST BROWN TODD LLC  
201 N. Illinois Street, Suite 1900  
P.O. Box 44961  
Indianapolis, Indiana 46244  
Email: [kschiferl@fbtlaw.com](mailto:kschiferl@fbtlaw.com)  
[smcgowan@fbtlaw.com](mailto:smcgowan@fbtlaw.com)

*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

VICTORIA DICILLO, individually,	)	Case No.: 2:18-cv-00729-JCM-EJY
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
GGP MEADOWS MALL L.L.C.; FOREVER	)	
21 RETAIL, INC.;	)	
SCHINDLER ELEVATOR	)	
CORPORATION; DOES I through X,	)	
inclusive; ROE CORPORATIONS XI	)	
through XX, inclusive,	)	
	)	
Defendants.		

**STIPULATION AND ORDER TO EXTEND  
CASE MANAGEMENT PLAN DEADLINES  
(Fifth Request)**

///

1 Pursuant to LR IA 6-1 and LR 26-3, the parties, by and through their respective counsel of  
2 record, hereby stipulate and request that the Court reset the following Case Management Plan  
3 Deadlines as follows:  
4

5 1. On July 30, 2021, the Court issued its Order Granting Stipulation and Order to  
6 Extend Case Management Plan Deadlines, which established the Pre-Trial Order Deadline as  
7 November 1, 2021. (Dkt. 75).  
8

9 2. On September 14, 2021, the Court issued its Order Granting Defendants' Motion  
10 to Compel, which (1) required the production of raw testing data to Defendants' expert Dr. Kinsora  
11 by September 24, 2021; (2) allowed Dr. Kinsora to and including November 15, 2021 to provide  
12 his rebuttal expert report pursuant to FED. R. CIV. P. 26(a)(2)(B); and (3) allowed Plaintiff thirty  
13 (30) days after the production of Dr. Kinsora's report to depose him. (Dkt. 79 at 4-5).  
14

15 3. Because there is outstanding expert and damages related discovery that will be  
16 completed after the November 1, 2021 Pre-Trial Order Deadline, the parties request that the Court  
17 extend the Pre-Trial Order Deadline to and including February 1, 2022.  
18

19 4. Pursuant to LR IA 6-1(a), the discovery deadline was previously extended on  
20 August 20, 2018 (Dkt. 26), January 10, 2019 (Dkt. 41), and July 29, 2019 (Dkt. 45). The parties  
21 further note that this case was stayed on October 2, 2019 pursuant to Defendant Forever 21, Inc.'s,  
22 bankruptcy petition. (Dkt. 49). On March 24, 2021, the Court issued an Order lifting the  
23 bankruptcy stay (Dkt. 67) and the Court entered its Order Resetting Case Management Plan and  
24 Other Related Deadlines on April 15, 2021. (Dkt. 71). The Discovery, Dispositive Motion, and  
25 Pre-Trial Order Deadlines were subsequently extended on July 30, 2021. (Dkt. 75).  
26

27 ///

28 ///



and/or MedTrak Diagnostics. Pursuant to LR 26-3, good cause exists to extend the close of discovery to permit the parties until to and including February 1, 2022 to submit their Pre-Trial Order.

DATED: October 27, 2021

/s/ Joshua L. Benson (with permission)

/s/ Stephanie V. McGowan

Joshua L. Benson, Esq.  
Nevada Bar No. 10514  
BENSON ALLRED, PLLC  
6250 N. Durango Drive  
Las Vegas, NV 89148  
josh@bensonallred.com

Alan W. Westbrook, Nevada #6167  
Nevada State Bar No. 6167  
PERRY & WESTBROOK, P.C.  
1701 W Charleston Boulevard, Suite 200  
Las Vegas, NV 89102  
awestbrook@perrywestbrook.com

*Attorneys for Plaintiff*

and

Kevin C. Schiferl (*pro hac vice*)  
Indiana Bar No. 14138-49  
Stephanie V. McGowan (*pro hac vice*)  
Indiana Bar No. 30759-49  
FROST BROWN TODD LLC  
201 N. Illinois Street, Suite 1900  
P.O. Box 44961  
kschiferl@fbtlaw.com  
smcgowan@fbtlaw.com

*Attorneys for Defendants*

### **ORDER**

IT IS HEREBY ORDERED that the Pre-Trial Order deadline is amended to February 1, 2022.

IT IS FURTHER ORDERED that all discovery, except as expressly stated in the parties' stipulation, is closed. The deadline for filing dispositive motions is also closed.

Dated this 28th day of October, 2021.

  
UNITED STATES MAGISTRATE JUDGE